REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 7, 18 and 24 are pending in this application. Claims 1 and 18 are amended; and Claims 2-6, 8-17, 19-23, and 25-34 are canceled without prejudice or disclaimer by the present amendment. Claims 1 and 18 are amended to incorporate the subject matter of Claims 2 and 19, respectively. Thus, no new matter is presented.

In the outstanding Office Action, Claims 1, 2 and 7 were rejected under 35 U.S.C. § 102(b) as anticipated by Nishikawa et al. (U.S. Patent 6,246,438, hereinafter Nishikawa); and Claims 18, 19 and 24 were rejected under 35 U.S.C. §103(a) as unpatentable over Nishikawa.

In response to the above-noted rejections, Applicants respectfully submit that independent Claims 1 and 18, which are amended to incorporate the subject matter of dependent Claims 2 and 19, recite novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 1 recites an apparatus for coding and decoding, comprising:

> a decoding unit which decodes compressed and coded data to restore original image data;
> a storing unit which stores additional information other than the image data in memory;
> a coding unit which encodes at least a portion of the additional information stored in said memory as information additional to the image data when performing second-time encoding of the image data decoded by said decoding unit; and
> ***an additional information extracting unit which extracts the additional information from the compressed and coded data*** when the compressed and coded data is decoded, and said storing unit stores the additional information extracted by said additional information extracting unit in said memory.

Independent Claim 18, while directed to an alternative embodiment, is amended to recite substantially similar features. Accordingly, the remarks and arguments presented below are applicable to each of independent Claims 1 and 18.

As described, for example, at p. 5, l. 15-p. 6, l. 7 of the originally filed specification, in previous systems, additional information such as a comment is discarded when encoding takes place a second time after decoding. This is because additional information is not regarded as important since it is not necessary for the decoding of image data. Further, all that is required in display systems is to display decoded data, so that second-time encoding is not required in the first place. For example, when coded data is decoded, an image file is generally created. At the time of second-time encoding, this image file is encoded. The format of an image file only contains the header information of the image file. If a decoded image file is provided as bitmap data, a comment (additional information) cannot be utilized for second-time encoding since the bitmap file does not contain the comment.

Applicant's claimed advancement serves to remedy this deficiency by extracting the additional data from the compressed and encoded data and reinserts the additional information when performing second-time encoding of the image data.

Turning to the applied reference, Nishikawa describes an image coded data re-encoding apparatus 30 which generates, in an image coded data analyzer 310, coded data after signal processing by performing a first digital signal processing on first image coded data 220. The coded data is then supplied to a data synthesizer 320, which generates second image coded data 240.[1]

Nishikawa, however, fails to teach or suggest that this apparatus 30 includes "*an additional information extracting unit which extracts the additional information from the compressed and coded data* when the compressed and coded data is decoded" and that the

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[1] Nishikawa, Abstract.

"storing unit stores the additional information extracted by said additional information extracting unit in said memory," as recited in independent Claim 1.

In rejecting the claimed features directed to the "additional information extracting unit," the outstanding Office Action relies on the information extractor/estimator 350, depicted in Fig. 6. As described at col. 15, ll. 11-20 of Nishikawa, the information extractor/estimator 350 extracts or estimates from the coded data after signal processing 221 the information which is needed for re-encoding the coded data after signal processing 221 in the second digital signal processing, and supplies the resultant information to the image coded data synthesizer 320 as the multiple signals 225 associated with the first image coded data. In this case, the coded data after signal processing 221 is obtained by decoding the first image coded data 220 by applying the first digital signal processing to the image coded data 220 in the image coded data analyzer 310. Thus, Nishikawa describes extracting information from decoded image data, but fails to teach or suggest extracting additional data from *the compressed and encoded data*, as required by independent Claims 1 and 18.
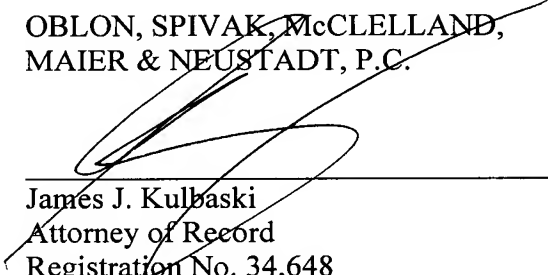
Therefore, Nishikawa fails to teach or suggest "*an additional information extracting unit which extracts the additional information from the compressed and coded data* when the compressed and coded data is decoded..." as recited in independent Claim 1.

Accordingly, Applicants respectfully request that the rejection of Claim 1 (and Claims 2 and 7 which depend therefrom) under 35 U.S.C. § 103 be withdrawn. For substantially similar reasons, it is also submitted that independent Claim 18 (and Claims 19 and 24 which depend therefrom) patentably define over Nishikawa and Applicants request that the rejection of these claims under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1, 7, 18 and 24 patentably define over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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